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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.								
10/692,458	10/23/2003	Andrew Rodney Ferlitsch	SLA1241	8033								
7590 Gerald W. Maliszewski P.O. Box 270829 San Diego, CA 92198-2829		06/27/2007	<table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">ROBINSON, MYLES D</td></tr><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td>2625</td><td></td></tr></table>		EXAMINER		ROBINSON, MYLES D		ART UNIT	PAPER NUMBER	2625	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/692,458	FERLITSCH, ANDREW RODNEY	
	Examiner	Art Unit	
	Myles D. Robinson	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 9 and 14 - 24 is/are rejected.
- 7) ☒ Claim(s) 10 - 13 and 25 - 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/23/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. It is noted that this application appears to claim subject matter disclosed in prior Application No. 10/685,241, filed 10/10/2002. A reference to the prior application must be inserted as the first sentence(s) of the specification of this application or in an application data sheet (37 CFR 1.76), if applicant intends to rely on the filing date of the prior application under 35 U.S.C. 119(e), 120, 121, or 365(c). See 37 CFR 1.78(a). For benefit claims under 35 U.S.C. 120, 121, or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of all nonprovisional applications. If the application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference to the prior application must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C. 119(e),

120, 121 and 365(c). A benefit claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed benefit claim under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification or an application data sheet (ADS) as required by 37 CFR 1.78(a) (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required. Applicant is still required to submit the reference in compliance with 37 CFR 1.78(a) by filing an amendment to the first sentence(s) of the specification or an ADS. See MPEP § 201.11.

Information Disclosure Statement

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2. The examiner has considered the references listed in the Information Disclosure Statement (IDS) submitted on 10/23/2003 (see attached PTO-1449).

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "USER1" and "USER2" have both been used to designate the same user (*see Specification [page 3, lines 2 – 16] wherein the same user walks back and forth in steps #1 – 4*).

4. Figures 2a and 2b should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to under 37 CFR 1.83(a) because they fail to show in Fig. 5 scan options related to color adjustment (*see Specification [page 15, line 2]*) as described in the specification. Any structural detail that is essential for a proper

understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

6. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the scan options for destination, encryption method, access control and job scheduling (as recited in claims 5 and 20), the manipulation options for watermark, caption, metadata inclusion and color adjustment (as recited in claims 6 and 21) and the segmentation options for font replacement, filtering and vector/bitmap enhancements (as recited in claims 7 and 22) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

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Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

7. The disclosure is objected to because of the following informalities: a spelling error on page 11, line 10. It is suggested that "accepts the SDL commends" be revised to read "accepts the SDL ~~commends~~ commands."

8. The use of the trademark MICROSOFT (*page 1, line 24*), SHARP (*page 7, line 17*), APPLE (*page 21, line 18*), IBM (*page 21, line 22*) has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Objections

9. The following quotation of 37 CFR 1.75(a) is the basis of the objection:

- (a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

10. **Claims 1 – 29** are objected to under 37 CFR 1.75(a) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery.

Claims 1 and 15 recite the limitation “a scanning device” in line 4 of both claims after the limitation “a scanning device” was claimed in line 1 of both claims. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** “scanning device” or ***a unique and distinctly different*** “scanning device” within these claims. All claims dependent upon these claims suffer the same deficiency and, therefore, are objected to as well.

11. **Claims 1 and 15** recite the limitation “a scan job” in line 5 of both claims after the limitation “a scanning device” was claimed in lines 1 and 2, respectively, of the claims. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** “scan job” or ***a unique and distinctly different*** “scan job” within these claims. All claims dependent upon these claims suffer the same deficiency and, therefore, are objected to as well.

12. **Claim 2** recites the limitation “a scan job” in line 1 of the claim after the limitation “a scan job” was claimed in lines 1 and 5 of the parent claim 1. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** “scan job” or ***a unique and distinctly different*** “scan job” within the claim. All

claims dependent upon this claim suffer the same deficiency and, therefore, are objected to as well.

13. **Claim 3** recites the limitations “a node selected from the group including a front panel of the scanning device, a connected client, and a connected web page” in lines 2 – 4 of the claim after the limitations “a node selected from the group including a scanning device front panel, a connected web page and a client connected to the scanning device” were claimed in lines 2 – 4 of the parent claim 2. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to **the same, instant** “node,” “scanning device front panel,” “connected web page,” and “client connected to the scanning device” or **a unique and distinctly different** “node,” “scanning device front panel,” “connected web page,” and “client connected to the scanning device” within the claim.

14. **Claims 4, 8, 9 and 14** recite the limitation “a node connected to the scanning device” in lines 2 of claims 4 and 9, in line 4 of claim 8 and in lines 17 – 18 of claim 14 after the limitation “a node connected to the scanning device” was claimed in line 8 of the parent claim 1. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to **the same, instant** “a node” or **a unique and distinctly different** “a node” within these claims. All claims dependent upon these claims suffer the same deficiency and, therefore, are objected to as well.

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15. **Claim 10** recites the limitations “a node connected to the scanning device” and “a node scan subsystem” in lines 2 and 3, respectively, of the claim after the limitation “a node connected to the scanning device” and “a node scan subsystem” were claimed in lines 2 and 3, respectively, of the parent claim 9. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** “a node” or ***a unique and distinctly different*** “a node” within this claim.

16. **Claims 5 – 7, 12 and 14** recite the limitation “constructing a scan job” in line 5 of claims 5 – 7, in lines 2 – 4 of claim 12 and in lines 1 – 2 of claim 14 after the limitation “constructing a scan job” was claimed in line 5 of the parent claim 1. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** “constructing a scan job” or ***a unique and distinctly different*** “constructing a scan job” within these claims.

17. **Claim 13** recites the limitation “a scan job SDL command” in line 3 of the claim after the limitation “a scan job SDL command” was claimed in line 6 of the parent claim 6. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** “scan job SDL command” or ***a unique and distinctly different*** “scan job SDL command” within the claim.

18. **Claim 19** recites the limitation “a document” in line 3 of the claim after the limitation “a scanned document” was claimed in line 6 of the parent claim 15. The

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applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** "document" or ***a unique and distinctly different*** "document" within the claim.

19. **Claim 27** recites the limitations "a scan job" (line 2) and "a SDL command" (line 3) in the claim after the limitation "a scan job" (lines 2 and 5) and "a scan description (SDL) commands" (lines 5 – 6) were claimed in the parent claim 15. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** "scan job" and "SDL command" or ***a unique and distinctly different*** "scan job" and "SDL command" within the claim.

20. **Claim 28** recites the limitation "a scan job SDL command" of line 3 of the claim after the limitation "a scan description (SDL) commands" was claimed in lines 5 – 6 of the parent claim 15. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** "SDL command" or ***a unique and distinctly different*** "SDL command" within the claim.

Claim Rejections - 35 USC § 112

21. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

22. **Claims 2 – 7 and 16 – 22** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

23. **Claims 2, 4 – 7 and 16 – 22** recite the limitation "the group" in line 3 of claims 2, 4 and 20 – 22, in line 2 of claims 5 – 7 and 18 and in line 4 of claims 16, 17 and 19. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

24. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

25. **Claims 1, 8, 9, 15, 23 and 24** are rejected under 35 U.S.C. 102(b) as being anticipated by **Maniwa** (U.S. Patent No. 5,764,866).

Referring to **claim 15**, Maniwa discloses in a network (see *Fig. 7 – 8, LAN 5 [column 5, lines 42 – 47 and 57 – 60]*) including a scanning device (see *Figs. 7 – 9, digital copier device 4b [column 5, lines 48 – 52]* and see *Fig. 9 wherein digital copier machine 4b performs scanning operation 13*), a scan description language (SDL) system (see *Figs. 7 – 8, network scanner system 1b*) for managing scan jobs, the system comprising:

a scanning device including a first scan subsystem (see *Figs. 7 – 9, scanner/printer controller 12b [column 20, lines 28 – 33]*) having an interface (see *Fig. 7, NIC-driver unit 21* and see *Fig. 8, NIC-device-driver unit 101 [column 20, lines 40 –*

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43)) to accept a scan job constructed using a scan description language (SDL) commands (see Fig. 9 wherein scan files 131c, which are copies of scan files 131b and contain scanning settings, are accepted from file-server machine 90 [column 21, lines 14 – 37]), to accept a scanned document (see Fig. 9 wherein the scanned image from operation 136 is accepted and stored in page-buffer memory 24 of scanner/printer controller 12b in operation 141 [column 21, lines 44 – 48]), and to supply at least a partially processed scan jobs in response to the SDL commands (see Fig. 7 wherein digital copier machine 4b supplies the scanned image files 144b to file-server machine 90 after image files 144b were formatted in operation 143 in accordance with the scanning settings of scanner application 71 [column 11, lines 28 – 31, 45 – 50, 58 – 60 and column 21, lines 44 – 51]), and

a first node (see Figs. 7 – 9, file-server machine 90 [column 19, lines 28 – 40]) connected to the scanning device including a second scan subsystem (see Figs. 7 – 8, scan server 94 [column 19, lines 53 – 57]) having an interface for accepting the SDL constructed scan job (see Figs. 7 – 8, NIC-device-driver unit 92 interfaces file-server machine 90 with digital copier device 4b [column 19, lines 45 – 48 and column 20, line 57 – column 21, line 8]) and an interface to supply at least a partially processed scan job in response to the SDL commands (see Fig. 7 wherein file-server machine 90 supplies the scanned image files 144b to host machine 26 after image files 144b were formatted in operation 143 by digital copier machine 4b in accordance with the scanning settings of scanner application 71 [column 11, lines 28 – 31, 45 – 50, 58 – 60 and column 21, lines 44 – 51]).

Referring to **claim 23**, Maniwa discloses the system further wherein the scanning device first scan subsystem initially performs a part of the scan job task (see *Fig. 7 wherein digital copier machine 4b supplies the scanned image files 144b to file-server machine 90 after image files 144b were formatted in operation 143 in accordance with the scanning settings of scanner application 71 [column 11, lines 28 – 31, 45 – 50, 58 – 60 and column 21, lines 44 – 51]*), and

wherein the first node second scan subsystem subsequently performs a part of the scan job task (see *Fig. 7 wherein file-server machine 90 supplies the scanned image files 144b to host machine 26 after image files 144b were formatted in operation 143 by digital copier machine 4b in accordance with the scanning settings of scanner application 71 [column 11, lines 28 – 31, 45 – 50, 58 – 60 and column 21, lines 44 – 51]*).

Referring to **claim 24**, Maniwa discloses the system further wherein the first node second scan subsystem initially performs a part of the scan job task, prior to despooling the scan job (see *Fig. 9 wherein file-server machine 90 copies scan files 131b to the digital copier machine 4b as scan files 131c, which contain scan settings needed for scanning operation 136, prior to the release of the scanned image from storage 142 [column 21, lines 14 – 23]*), and

wherein the scanning device first scan subsystem subsequently performs a part of the scan job task (see *Fig. 9, scanning operation 136, formatting 143 [column 21, lines 38 – 43 and 48 – 51]*).

Referring to **claims 1, 8 and 9**, the rationale provided in the rejections of claims 15, 23 and 24, respectively, are incorporated herein. In addition, the systems of claims 15, 23 and 24 perform the methods of claims 1, 8 and 9, respectively.

Claim Rejections - 35 USC § 103

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. **Claims 2, 3, 5, 16, 17, 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Maniwa** (U.S. Patent No. 5,764,866) in view of **Struble** (U.S. Patent No. 7,142,333).

Referring to **claim 16**, Maniwa discloses the system further comprising:

a second node (see *Fig. 7 – 9, host machine 2b*) including a language assembler (see *Fig. 9 wherein scan-file handler 110b creates a scan file 111b which specifies the settings of the scan conditions*) having an interface for supplying the scan job SDL commands (*column 16, lines 1 – 10, column 21, lines 14 – 23 and column 22, lines 40 – 47*), and

wherein the second node is a device selected from the group including a front panel of the scanning device (see *Fig. 7, operation-display-and-touch-panel unit 18*), a connected web page, and a client connected to the scanning device (see *Figs. 7 – 9*,

host machine 2b) but does not explicitly disclose the system further wherein the group includes a connected web page.

Struble discloses the system wherein the group includes a connected web page (see *Figs. 1 and 6 wherein mobile computing device 20 comprising user interface 48 [column 3, lines 18 – 23, column 6, lines 14 – 19 and 33 – 39] such that user interface 48 implements web-based software [e.g. JAVA, HTML] [column 2, lines 26 – 32 and column 6, lines 33 – 39] and see Figs. 2 – 3 wherein mobile computing devices 102 initiate the scanning of documents 105 at scanner 104 in step 152 [column 4, lines 26 – 29]*).

Maniwa and Struble are combinable because they are from the same field of endeavor, being scanner network systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include connecting a web page to supply commands to remotely initiate a scan job along with scanner network systems. The suggestion/motivation for doing so would have been to provide convenience and confidentiality for mobile computing users and to provide alternative scanning methods other than the conventional desktop scanning methods, as suggested by Struble (*column 1, lines 13 – 40 and column 6, lines 46 – 59*).

Referring to **claim 17**, Maniwa discloses the system further comprising:

a third node (see *Fig. 7 – 9, host machine 2b*) having an interface (see *Fig. 9 wherein scan-file handler 110b creates a scan file 111b which specifies the settings of the scan conditions*) for initiating scan job processing (*column 16, lines 1 – 10, column 21, lines 14 – 23 and column 22, lines 40 – 47*), and

wherein the third node is a device selected from the group including a front panel of the scanning device (see *Fig. 7, operation-display-and-touch-panel unit 18*), a connected client (see *Figs. 7 – 9, host machine 2b*) but does not explicitly disclose the system further wherein the group includes a connected web page.

Struble discloses the system wherein the group includes a connected web page (see *Figs. 1 and 6 wherein mobile computing device 20 comprising user interface 48 [column 3, lines 18 – 23, column 6, lines 14 – 19 and 33 – 39] such that user interface 48 implements web-based software [e.g. JAVA, HTML] [column 2, lines 26 – 32 and column 6, lines 33 – 39] and see Figs. 2 – 3 wherein mobile computing devices 102 initiate the scanning of documents 105 at scanner 104 in step 152 [column 4, lines 26 – 29]*).

Maniwa and Struble are combinable because they are from the same field of endeavor, being scanner network systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include connecting a web page to supply commands to remotely initiate a scan job along with scanner network systems. The suggestion/motivation for doing so would have been to provide convenience and confidentiality for mobile computing users and to provide alternative scanning methods other than the conventional desktop scanning methods, as suggested by Struble (*column 1, lines 13 – 40 and column 6, lines 46 – 59*).

Referring to **claim 20**, Maniwa discloses the system further wherein the second node language assembler has a user interface (UI) (see *Figs. 1 and 7, workstations 3, 3b comprising application software 9, utility software 10 [column 17, line 66 – column*

19, line 4]) for selecting scan options chosen from the group including resolution (dpi) (column 18, lines 17 – 30), cropping (column 18, lines 49 – 58), output format (column 19, line 1 wherein *data-formatting-for-transfer* function is analogous to performing output formatting), destination (column 22, lines 40 – 47), compression method (column 18, line 67 – column 19, line 1) and encryption method (column 19, lines 3 – 4 wherein the *data-transfer* function of an agreed communication protocol is analogous to an encryption method), the second node supplying scan job SDL commands to perform the selected scan options (column 16, lines 1 – 10, column 21, lines 14 – 23 and column 22, lines 40 – 47) but does not explicitly disclose the system further wherein the group includes access control and job scheduling.

Struble discloses the system wherein the group includes access control (see Fig. 3, steps 154, 162 [column 4, lines 43 – 51]) but does not explicitly disclose the system further wherein the group includes job scheduling.

However, the Examiner takes Official Notice that job scheduling as a scan option is well known in the art.

It would have been obvious at the time the invention was made to one of ordinary skill in the art to include an scan option for job scheduling in order to more efficiently balance the workload of shared scanner(s) since the Examiner takes Official Notice that job scheduling as a scan option is well known in the art.

Referring to **claims 2, 3 and 5**, the rationale provided in the rejections of claims 16, 17 and 20, respectively, are incorporated herein. In addition, the systems of claims 16, 17 and 20 perform the methods of claims 2, 3 and 5, respectively.

Allowable Subject Matter

28. ***Claims 10 – 13 and 25 – 29*** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

29. ***Claims 4, 6, 7, 18 and 19*** would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

30. ***Claims 21 and 22*** would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

31. Referring to **claims 4 and 18**, the innovative limitation that distinguishes the Applicant's claim is the first node selected from the group including another scanning device.

32. Referring to **claim 19**, the innovative limitation that distinguishes the Applicant's claim is a fourth node is a device selected from the group including another scanning device connected to the scanning device.

Referring to **claims 6 and 21**, the innovative limitation that distinguishes the Applicant's claim is a UI for selecting image manipulations options chosen from the group including mirror image.

33. Referring to **claims 7 and 22**, the innovative limitation that distinguishes the Applicant's claim is a UI for selecting segmentation options chosen from the group including vector/bitmap enhancements.

34. Referring to **claims 10 and 25**, the innovative limitation that distinguishes the Applicant's claim is the first node second scan subsystem finishes the scan job tasks.

35. Referring to **claims 11 and 26**, the innovative limitation that distinguishes the Applicant's claim is the scan subsystems delete SDL command from the scan job after the task is performed.

Conclusion

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sakai et al. (U.S. Patent No. 6,804,414) disclose an image status detecting apparatus and document image correcting apparatus wherein rotation and mirroring are applied to the scanned image (*see Abstract and Figs. 5 and 7*).

Yamauchi et al. (U.S. Patent No. 5,701,497) disclose a telecommunication apparatus having a capability of translation including translating a received document from a source language to a target language (*see Abstract and Figs. 9 and 14 – 21*).

Sylthe (U.S. Pre-Grant Publication No. 2002/0161796) disclose a system for content delivery over a wireless communication medium to a portable computing device wherein a scanned document subjected to image improvement and raster to vector conversion (R2V) (*see Abstract and Fig. 7*).

Ohhashi et al. (U.S. Patent No. 7,023,573) disclose an image transmission device, which is connected to external devices (i.e. facsimile, etc.) via a public line and a computer network and can be operated in accordance with a request from image data transmission from the external device, controls transmission of image data by fax sending/receiving (*see Abstract and Figs. 1, 8 and 11 – 13*).

Suzuki (U.S. Patent No. 6,930,803) discloses an information processing apparatus wherein a forgery determination processing module for the scanner driver compares the read digital watermark data within a specific image data to determine the matching degree (*see Abstract and Figs. 2, 3, 6, 15 – 17, 18A and 18B*).

Hirozawa (Japanese Patent No. 2001-297081) disclose a word processor fax copy TV telephone which has functions to produce documents, etc., which are transmitted by fax and to translate automatically user's own language into another foreign language (*see Abstract*).

Kizaki (U.S. Patent No. 7,146,411) discloses a system for inputting images comprising a scanner server and a plurality of input devices (e.g. scanners) wherein an image input device is selected (*see Figs. 5 – 7 and 9*).

Arakawa (U.S. Patent No. 6,188,807) discloses a scanner server structured to execute prescan process, for storing image data output from a scanner in a prescan for reading an original document image, and a final scan process for storing the image data output from the scanner in a final scan for reading the original document image in accordance with the processing conditions set on the basis of the image data stored in the prescan process (*see Abstract and Figs. 4, 6 and 14 – 19*).

Ferlitsch (U.S. Pre-Grant Publication No. 2005/0094162) discloses a scan subsystem generation of document processing data.

Tanaka (U.S. Pre-Grant Publication No. 2007/0033523) discloses a method for delivering information with improved user operability wherein a user selects one of the plurality of input apparatuses to link with a document delivery apparatus for information delivery using an MFP management function of the document delivery apparatus such that the document delivery apparatus acquires from the input apparatus information on functions included in the input apparatus, then the user selects one of the functions of the selected input apparatus (e.g. scanned-information delivery function), and then the document delivery apparatus sends information including information indicating the selected function to the input apparatus (*see Abstract and Figs. 1 – 3*).

Lavender et al. (U.S. Pre-Grant Publication No. 2002/0114021) disclose a document scanning system configured to submit user selected scanning parameters to a scanner from any one of a plurality of locations (*see Abstract and Fig. 3*).

Bair et al. (U.S. Pre-Grant Publication No. 2006/0146372) disclose a system for distributing non-uniform rules for distributed capture operations using a web-based scan interface (*see Abstract and Figs. 1 – 3*).

Hall et al. (U.S. Pre-Grant Publication No. 2006/0245005) disclose a system for language translation of documents (*see Abstract and Figs. 3 – 5 and 7*).

Stringham et al. (U.S. Patent No. 7,095,513) disclose a method for language translation of production job output (*see Abstract and Figs. 1, 4 and 5*).

Haining et al. (U.S. Pre-Grant Publication No. 2002/0154342) disclose a portable photo scanner comprising an input for a plurality of user interface indicator wherein each indicator is associated with a respective meta data of a plurality of meta data (*see Abstract and Fig. 3*).

Youngers (U.S. Patent No. 6,809,843) discloses a virtual whiteboard wherein a image is written on the platen, the image is then scanned by the scanner and then flipped or mirrored left to right by internal circuitry and transmitted via transmission means (e.g. facsimile, telephone, infrared, cable, modem, Internet, Intranet, etc.) (*see Abstract and Fig. 1*).

Jia et al. (U.S. Pre-Grant Publication No. 2005/0036165) disclose scanning to storage medium using a scanning device wherein the user may enter meta data

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regarding the image data to be stored on the storage medium along with the image data
(see *Abstract and Figs. 1 – 2*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MDR

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TWYLER LAMB
SUPERVISORY PATENT EXAMINER